

AUG. 27. 2004 4:15PM

BROWDY AND NEIMARK

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NO. 6683 P. 1

AUG 27 2004

RESPONSE UNDER 37 C.F.R. § 1.118  
EXPEDITED PROCEDURE  
EXAMINING GROUP 1800

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: Marina ZICHE et al

Art Unit: 1653

Application No.: 09/758,165

Conf. No. 5690

Examiner: R. Mitra

Filed: January 9, 2001

Washington, D.C.

For: COMPOUND B AS ANGIOGENIC AGENT IN COMBINATION WITH HUMAN GROWTH...

Atty's Docket: ZICHE=1

Date: August 27, 2004

THE COMMISSIONER OF PATENTS  
2011 South Clark Place  
Crystal Plaza Two, Lobby, Room 1803  
Arlington, VA 22202

VIA TELEFACSIMILE

Sir,

Transmitted herewith is a ☒ Supplemental Amendment ☐ \_\_\_\_\_  
in the above-identified application.☐ Small Entity Status: Applicant(s) claim small entity status. See 37 C.F.R. §1.27.☒ No additional fee is required.☐ The fee has been calculated as shown below:

(Col. 1)		(Col. 2)		(Col. 3)	SMALL ENTITY		OR	OTHER THAN SMALL ENTITY	
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA EQUALS	RATE	ADDITIONAL FEE		RATE	ADDITIONAL FEE
TOTAL	* 13	MINUS	** 20	0	x 9	\$		x 18	\$
INDEP.	* 5	MINUS	*** 3	0	x 42	\$		x 84	\$
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM					+ 140	\$		+ 280	\$
					ADDITIONAL FEE TOTAL			TOTAL	

\* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.

\*\* If the "Highest Number Previously Paid for" IN THIS SPACE is less than 20, write "20" in this space.

\*\*\* If the "Highest Number Previously Paid for" IN THIS SPACE is less than 3, write "3" in this space.

The "Highest Number Previously Paid For" (total or independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment of the number of claims originally filed.

☒ Conditional Petition for Extension of Time

If any extension of time for a response is required, applicant requests that this be considered a petition therefor.

☐ It is hereby petitioned for an extension of time in accordance with 37 CFR 1.136(a). The appropriate fee required by 37 CFR 1.17 is calculated as shown below:Small Entity  
Response Filed Within

☐ First - \$ 55.00  
☐ Second - \$ 205.00  
☐ Third - \$ 465.00  
☐ Fourth - \$ 725.00

Month After Time Period Set

Other Than Small Entity  
Response Filed Within

☐ First - \$ 110.00  
☐ Second - \$ 410.00  
☐ Third - \$ 930.00  
☐ Fourth - \$ 1450.00

Month After Time Period Set

☐ Less fees (\$ \_\_\_\_\_) already paid for \_\_\_\_\_ month(s) extension of time on \_\_\_\_\_.☐ Please charge my Deposit Account No. 02-4035 in the amount of \$ \_\_\_\_\_.☐ Credit Card Payment Form, PTO-2039, is attached, authorizing payment in the amount of \_\_\_\_\_.☐ A check in the amount of \$ \_\_\_\_\_ is attached (check no. \_\_\_\_\_).☒ The Commissioner is hereby authorized and requested to charge any additional fees which may be required in connection with this application or credit any overpayment to Deposit Account No. 02-4035. This authorization and request is not limited to payment of all fees associated with this communication, including any Extension of Time fee, not covered by check or specific authorization, but is also intended to include all fees for the presentation of extra claims under 37 CFR §1.16 and all patent processing fees under 37 CFR §1.17 throughout the prosecution of the case. This blanket authorization does not include patent issue fees under 37 CFR §1.18.

BROWDY AND NEIMARK, P.L.L.C.

Attorneys for Applicant(s)

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RESPONSE UNDER 37 C.F.R. §1.116  
EXPEDITED PROCEDURE  
EXAMINING GROUP 1600

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**AUG 27 2004**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Atty. Docket: ZICHE=1

In re Application of:	)	Conf. No.: 5690
	)	
Marina ZICHE et al	)	Art Unit: 1653
	)	
Appln. No.: 09/756,185	)	Examiner: R. Mitra
	)	
Filed: January 9, 2001	)	Washington, D.C.
	)	
For: COMPOUND B AS ANGIOGENIC	)	August 27, 2004
AGENT IN COMBINATION WITH	)	
HUMAN GROWTH FACTORS	)	<b>VIA TELEFACSIMILE</b>

**SUPPLEMENTAL AMENDMENT**

Honorable Commissioner for Patents  
U.S. Patent and Trademark Office  
2011 South Clark Place  
Customer Window, Mail Stop Non-Fee  
Crystal Plaza Two, Lobby, Room 1B03  
Arlington, VA 22202

Sir:

To supplement the amendment filed March 17, 2004,  
please amend as follows:

**Amendments to the Claims** are reflected in the  
listing of claims that begins on page 2 of this paper.

**Remarks/Arguments** begin on page 6 of this paper.